

2010 No. 2921 (C. 130)

SENIOR COURTS OF ENGLAND AND WALES

COUNTY COURTS, ENGLAND AND WALES

MAGISTRATES' COURTS, ENGLAND AND WALES

The Courts Act 2003 (Commencement No. 14) Order 2010

Made - - - -

8th December 2010

The Lord Chancellor makes the following Order in exercise of the powers conferred by section 110 of the Courts Act 2003(a):

Citation

1. This Order may be cited as the Courts Act 2003 (Commencement No.14) Order 2010.

Commencement of provisions of the Courts Act 2003

2. The following provisions of the Courts Act 2003, in so far as they are not already in force, come into force on 12th December 2010—

- (a) section 75 (Family Procedure Rules);
- (b) section 76 (further provision about scope of Family Procedure Rules);
- (c) section 79 (process for making Family Procedure Rules); and
- (d) section 80 (power to amend legislation in connection with the rules).

3. The following provisions of the Courts Act 2003, in so far as they are not already in force, come into force on 6th April 2011—

- (a) section 109(1) and (3) to the extent necessary for the provision referred to in paragraphs (b) and (c) below;
- (b) Schedule 8 (minor and consequential amendments); and
- (c) Schedule 10 (repeals), with the exception of the repeal of section 2(6) to (8) of the Civil Procedure Act 1997.

(a) 2003 c.39.

Amendment to previous Courts Act 2003 commencement order

4. The statutory instrument numbered 2706 of 2007 and headed “The Courts Act 2003 (Commencement No.13) Order 2007” is amended by the insertion, before article 1, of the following article—

“A1. This Order may be cited as the Courts Act 2003 (Commencement No.13) Order 2007.”.

Signed by authority of the Lord Chancellor

J Djanogly
Parliamentary Under Secretary of State
Ministry of Justice

8th December 2010

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order brings into force on 12th December 2010 the following provisions of the Courts Act 2003 insofar as they are not already in force-

- (a) the power to make Family Procedure Rules (section 75) and the further provision about their scope (section 76), including the power for the Rules to refer to provision made about a matter in a practice direction (section 76(8));
- (b) the process for making Family Procedure Rules (section 79); and
- (c) the power to amend legislation in connection with the Family Procedure Rules (section 80).

Article 3 of this Order brings into force on 6th April 2011 the provisions of Schedules 8 and 10 of the Courts Act 2003 insofar as they are not already in force, save that the repeal in Schedule 10 of the Courts Act 2003 of section 2(6) to (8) of the Civil Procedure Act 1997 is not brought into force. The effect of this to repeal powers to make rules of court in relation to family proceedings where those powers are superseded by the powers in the Courts Act 2003 which article 2 of this Order brings fully into force.

Article 3 also brings into force paragraph 272 of Schedule 8 to the Courts Act 2003, which omits sections 73 and 73A from the County Courts Act 1984. The associated repeal of those provisions in Schedule 10 to the Courts Act 2003 was commenced by article 3(c) of the Courts Act 2003 (Commencement No.12 and Transitional Provision) Order 2005 (S.I. 2005/3518).

Article 4 of this Order makes an amendment to correct an omission in a previous Commencement Order.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	1.4.05	2005/910
Sections 2 and 3	1.4.05	2005/910
Section 4	1.6.04	2004/798
Section 5	1.4.05	2005/910
Section 6 (partially)	1.9.04	2004/2066
remainder	1.4.05	2005/910
Sections 7 and 8	1.4.05	2005/910
Sections 9 to 16	1.4.05	2005/910
Sections 17 and 18	1.4.05	2005/910
Sections 19 to 21	1.4.05	2005/910

Sections 22 to 26	1.4.05	2005/910
Sections 27 to 29	1.4.05	2005/910
Section 30	1.4.05	2005/910
Sections 31 to 35	1.4.05	2005/910
Sections 36 and 37	1.4.05	2005/910
Sections 38 to 40	1.4.05	2005/910
Section 41	1.4.05	2005/910
Sections 43 to 46	1.4.05	2005/910
Sections 47 and 48	1.4.05	2005/910
Sections 49, 50(1) and 50(4)	1.4.05	2005/910
Section 50(2) and (3)	5.9.07	2007/2706
Sections 51 to 57	1.4.05	2005/910
Sections 58 to 61	1.4.05	2005/910
Section 62	26.1.04	2003/3345
Section 63	26.1.04	2003/3345
Section 64	26.1.04	2003/3345
Section 65	1.4.05	2005/910
Section 66 (partially)	26.1.04	2003/3345
Section 67	26.1.04	2003/3345
Section 68	26.1.04	2003/3345
Section 69	1.9.04	2004/2066
Section 70	26.1.04	2003/3345
Section 71	26.1.04	2003/3345
Section 72	1.9.04	2004/2066
Section 73	1.9.04	2004/2066
Section 74	26.1.04	2003/3345
Sections 75 and 76 (partially)	7.10.05	2005/2744
Section 77	26.1.04	2003/3345
Section 78	26.1.04	2003/3345
Sections 79 and 80 (partially)	7.10.05	2005/2744
Section 81	26.1.04	2003/3345
Section 83	26.1.04	2003/3345
Section 84	26.1.04	2003/3345
Section 86	1.5.04	2004/1104
Sections 88 to 91	1.4.05	2005/910
Section 92	4.1.05	2004/3123
Section 93	1.2.04	2004/174
Section 95	5.4.04	2004/174
Section 96	5.4.04	2004/174
Section 97 (partially)	23.2.04	2004/174
(partially)	29.3.04	2004/174
(partially)	5.4.04	2004/174
(partially)	1.5.04	2004/1104
(remainder)	21.9.04	2004/2195
Section 98 (partially)	26.1.04	2003/3345
(partially)	6.4.06	2005/3518
Section 99	15.3.04	2004/401
Sections 100 and 101	1.4.05	2005/910
Section 102	26.1.04	2003/3345
Section 103	1.5.04	2004/1104
Section 104	1.5.04	2004/1104
Section 105	1.4.05	2005/910
Section 106	1.5.04	2004/1104

Schedule 1	1.6.04	2004/1104
Schedule 2	1.9.04	2004/2066
Schedule 3	1.4.05	2005/910
Schedule 5 (partially)	23.2.04	2004/174
(partially)	29.3.04	2004/174
(remainder)	5.4.04	2004/174
Schedule 6 (partially)	1.5.04	2004/1104
(remainder)	21.9.04	2004/2195
Schedule 7	15.3.04	2004/401
Schedule 8 (and section 109(1) insofar as it relates to the paragraphs specified below)	1.2.04	2004/174
paragraphs 288 (partially) and 289		
Paragraphs 5, 9, 61 (partially), 62, 63 (partially), 189, 264, 274, 275 and 295 to 298	15.3.04	2004/401
Paragraphs 67, 71, 83, 107, 122, 126, 145, 172, 173, 182, 183(1) and (3), 186(1) and (2), 190, 207, 219, 233, 234, 238, 245(1) and (2) (partially), 246, 250 (partially), 251, 286, 290(1) and (3), 324, 327, 328, 329(1) and (4), 330(1), (2) and (3)(a) (partially), 335(a), 362, 364, 377 to 381, 384, 386, 387, 389, 390, 403, 405 and 410	1.9.04	2004/2066
Paragraphs 263, 276, 277 and 278(b)	4.1.05	2004/3123
Paragraphs 1 to 4, 6 to 8, 10 to 60, 63 (remainder), 64 to 66, 68 to 70, 72 to 82, 64 to 90, 91(1), (3), (4), 92 to 106, 108 to 121, 123 to 125, 127 to 144, 146 to 171, 174 to 181, 183(2), 184, 185, 186(3), 187, 188, 191 to 206, 208 to 218, 220 to 232, 235 to 237, 239 to 241, 243, 244, 245(1) to (3) (partially), 245(4) and (5), 247 to 249, 250 (remainder), 252, 253, 255 to 262, 265 to 271, 273, 279 to 285, 287, 288(2), 290(2), 291 to 294, 299 to 323, 325, 326, 329(2), (3), (5), 330(3)(b), 331 to 336, 338 to 348, 350 to 354, 355(b), 356 to 361, 363, 365 to 376, 382, 383, 385, 388, 391 to 402, 404, 406 to 409, 411 to 414	1.4.05	2005/910
Paragraph 245(1) and (2) (partially)	7.10.05	2005/2744
Paragraphs 242 and 254	10.1.06	2005/3518
Schedule 9 (and section 109(2) insofar as it relates to the paragraphs specified below)	1.4.05	2005/910
Paragraph 15 (partially)	23.3.04	2004/174
Paragraph 15 (partially)	29.3.04	2004/174
Paragraph 15 (remainder)	5.4.04	2004/174
Paragraphs 1 to 14 (partially)	1.4.05	2005/910
(remainder)	6.4.06	2005/3518
Schedule 10 (and section 109(3) (partially))	26.1.04	2005/3345
(partially)	15.3.04	2004/401
(partially) (and section 109(3))	1.5.04	2004/1104
(partially) (and section 109(3))	1.9.04	2004/2066
(partially) (and section 109(3))	4.1.05	2004/3123
(partially) (and section 109(3))	1.4.05	2005/910
(partially) (and section 109(3))	10.1.06	2005/3518
(partially) (and section 109(3))	6.4.06	2005/3518

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